limits of this subpart by the compliance date specified in §62.14108 are not required to submit a final control plan.) The notification must state the date by which the affected facility will cease operation. If the cease operation date is later than 1 year after the date of publication of this subpart FFF, the owner or operator must enter into a legally binding closure agreement with EPA by the date the final control plan is due. The agreement must specify the date by which operation will cease.

(k) The owner or operator of an affected facility that plans to de-rate the affected facility on or before December 19, 2000 rather than comply with the emission limits of this subpart by the compliance date specified in §62.14108 must submit a final control plan as required by paragraph (g) of this section and submit notification of increments of progress as required by paragraphs (e) and (f) of this section and §62.14108(e) of this subpart.

(1) The final control plan must, at a minimum, include the information in paragraphs (k)(1)(i) and (k)(1)(ii) of this section rather than the information in paragraph (g) of this section.

(i) A description of the physical changes that will be made to accomplish the de-rating.

(ii) Calculations of the current maximum combustion capacity and the planned maximum combustion capacity after the de-rating. (See the procedures specified in 40 CFR 60.58b(j) of subpart Eb for calculating municipal waste combustor unit capacity.)

(2) The owner or operator must submit a signed copy of the contract or contracts awarded to initiate the de-rating with the notification required by paragraph (e) of this section.

(l) The owner or operator of an affected facility that is ceasing operation more than 1 year following the date of publication of this subpart FFF must submit performance test results for dioxin/furan emissions conducted during or after 1990 for each affected facility by the date 1 year after the date of publication of this subpart FFF. The performance test shall be conducted according to the procedure in paragraph (b) of this section.

(m) The owner or operator (or the State air pollution control authority) that is submitting alternative dates for increments 2, 3, and 4 according to §62.14108(b)(4) must submit the alternative dates by the date specified for the final control plan according to the schedule specified in paragraphs §62.14108 (b)(1) and (b)(2), as applicable. The owner or operator (or the State air pollution control authority) must submit a justification if any of the alternative dates are later than the increment dates in tables 4 or 5 of this subpart. The owner or operator must also submit the alternative dates and justification to the State.

[63 FR 63202, Nov. 12, 1998; 64 FR 17219, Apr. 8, 1999]

TABLE 1 TO SUBPART FFF OF PART 62—MUNICIPAL WASTE COMBUSTOR UNITS (MWC UNITS) EXCLUDED FROM SUBPART FFF[1]

State	MWC units
Alabama	Existing facilities with an MWC unit capacity greater than 250 tons per day of municipal solid waste at the following MWC sites: (a) Solid Waste Disposal Authority of the City of Huntsville, Alabama.
Florida	Existing MWC units with capacity to combust more than 250 tons per day of municipal solid waste.
Georgia	Existing facilities with a MWC unit capacity greater than 250 tons per day of municipal solid waste at the following MWC sites: (a) Savannah Energy Systems Company, Savannah, Georgia.
Illinois	Existing MWC units located at Robbins Resource Recovery Center, Robbins, Illinois.
Maine	Existing facilities with an MWC unit capacity greater than 250 tons per day of municipal solid waste at the following MWC sites: (a) Penobscot Energy Recovery Company, Orrington, Maine. (b) Maine Energy Recovery Company, Biddeford, Maine. (c) Regional Waste Systems, Inc., Portland, Maine.
Maryland	Existing MWC facilities with an MWC unit capacity greater than 250 tons per day of municipal solid waste.
Minnesota	All MWC units with unit capacities greater than 93.75 million British thermal units per hour on a heat input basis (250 tons per day) located in Minnesota.
New York	Existing MWC units with capacity to combust more than 250 tons per day of municipal solid waste.

State	MWC units
Oklahoma	Existing MWC facilities with an MWC unit capacity greater than 250 tons per day of municipal solid waste at the following MWC site: Ogden-Martin Systems of Tulsa, Incorporated, 2122 South Yukon Avenue, Tulsa, Oklahoma.
Oregon	Existing facilities at the following MWC sites: (a) Ogden Martin Systems, Marion County, Oregon. (b) Coos County, Coos Bay, Oregon.
Pennsylvania	Existing MWC facilities with an MWC unit capacity greater than 250 tons per day of municipal solid waste at the following MWC site: (a) American Ref-fuel of Delaware Valley, LP (formerly Delaware County Resource Recovery facility), City of Chester, PA. (b) Harrisburg Materials, Energy, Recycling and Recovery Facility, City of Harrisburg, PA. (c) Lancaster County Solid Waste Management Authority, Conoy Township, Lancaster County, PA. (d) Montenay Montgomery Limited Partnership, Plymouth Township, Montgomery County, PA. (e) Wheelabrator Falls, Inc., Falls Township, Bucks County, PA. (f) York County Solid Waste and Refuse Authority, York, PA.
South Carolina	Existing facilities with a MWC unit capacity greater than 250 tons per day of municipal solid waste at the following MWC sites: (a) Foster Wheeler Charleston Resource Recovery Facility, Charleston, South Carolina.
Tennessee	Existing MWC units with capacity to combust more than 250 tons per day of municipal solid waste.

[1] Notwithstanding the exclusions in table 1 of this subpart, this subpart applies to affected facilities not regulated by an EPA approved and currently effective State or Tribal plan.

[63 FR 63202, Nov. 12, 1998, as amended at 65 FR 33468, May 24, 2000]

Table 2 to Subpart FFF of Part 62—Nitrogen Oxides Requirements for Affected Facilities

Municipal waste combustor technology	Nitrogen oxides emission limit (parts per million by volume) [a]
Mass burn waterwall	205.
Mass burn rotary waterwall	250.
Refuse-derived fuel combustor	250.
Fluidized bed combustor	180.
Mass burn refractory combustors	No limit.

[a] Corrected to 7 percent oxygen, dry basis.

Table 3 to Subpart FFF of Part 62—Municipal Waste Combustor Operating Requirements

Municipal waste combustor technology	Carbon monoxide emissions level (parts per million by volume) [a]	Averaging time (hrs) [b]
Mass burn waterwall	100	4
Mass burn refractory	100	4
Mass burn rotary refractory	100	24
Mass burn rotary waterwall	250	24
Modular starved air	50	4
Modular excess air	50	4
Refuse-derived fuel stoker	200	24
Fluidized bed, mixed fuel (wood/refuse-derived fuel)	200	[c] 24
Bubbling fluidized bed combustor	100	4
Circulating fluidized bed combustor	100	4
Pulverized coal/refuse-derived fuel mixed fuel-fired combustor	150	4
Spreader stoker coal/refuse-derived fuel mixed fuel-fired combustor	200	24

[a] Measured at the combustor outlet in conjunction with a measurement of oxygen concentration, corrected to 7 percent oxygen, dry basis. Calculated as an arithmetic average.
[b] Averaging times are 4-hour or 24-hour block averages.
[c] 24-hour block average, geometric mean.

[69 FR 42121, July 14, 2004]